

The Gazette of India

EXTRAORDINARY

PART II—Section 2

PUBLISHED BY AUTHORITY

No. 24] NEW DELHI, WEDNESDAY, MAY 4, 1955

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 4th May, 1955:—

Bill No. VIII of 1955

A Bill to provide for the abolition of whipping as a punishment by repealing the Whipping Act, 1909, and further amending the Code of Criminal Procedure, 1898.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows:—

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| | 1. This Act may be called the Abolition of Whipping Act, 1955. | Shore. |
| IV of 1909. | 2. The Whipping Act, 1909, is hereby repealed. | Repe
Act 1909. |
| Act V of 1898. | 3. In the Code of Criminal Procedure, 1898 (hereinafter referred to as the principal Act),— | Amer. c
of Act
1898. |
| | (a) in section 32, in sub-section (1), the entry "Whipping" against item (a) shall be omitted; | |
| | (b) sections 390 to 395 shall be omitted; | |
| | (c) in section 396, in sub-section (1), for the words "fine or whipping", the words "or fine" shall be substituted. | |
| IV of 1909. | 4. If at the commencement of this Act any sentence of whipping imposed upon an offender by a Court under the Whipping Act, 1909, has not been executed for any reason, whether wholly or partially, the offender shall be dealt with in the manner provided in section 395 of the principal Act as if that section had not been repealed. | Proviso
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STATEMENT OF OBJECTS AND REASONS

Whipping as a punishment for criminal offences is outmoded and it is not desirable to retain it in the penal laws of the country. Most countries have abolished whipping as a punishment and where it has been retained, it is reserved for extremely heinous offences attended with revolting cruelty. The Whipping Act of 1909 provides for whipping as a possible punishment for several categories of offences. Whipping is a barbarous form of punishment which has no reformative value and only degrades the offender. It has a particularly pernicious effect on juvenile delinquents. The present Bill is designed to abolish whipping as a form of punishment for criminal offences in India.

G. B. PANT.

NEW DELHI;

The 3rd May, 1955.

S. N. MUKERJEE,

Secretary.